

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

SAN ANTONIO DIVISION

UNITED STATES OF AMERICA	§	
	§	
Plaintiff,	§	
	§	
vs.	§	CAUSE NO. SA-16-CR-0289(2)(XR)
	§	
PEYTON CLARK,	§	
	§	
Defendant.	§	

MOTION FOR HEARING ON CONDITIONS OF PRE-TRIAL RELEASE

Defendant in the above-captioned cause, by and through Defendant's undersigned attorney, hereby files the instant Motion for Hearing on Conditions of Pre-Trial Release, requesting a hearing before the Court to determine reasonable conditions for the Defendant's Pre-Trial release and, in support of said Motion, states:

The Defendant was Ordered Detained without bond, June 15, 2016. The Order was then agreed to by the Defendant due to material circumstances that have now changed.

At the time of the June Detention Order there was an active out-of-state warrant for the Defendant's arrest that effected the sufficiency of reasonable conditions to secure the Defendant's pre-trial release.

The undersigned has been advised, on good authority, that the obstructing warrant is being recalled by the out-of-state district attorney, which event now renders conditions of pre-trial release both just and reasonable.

Further, the Defendant is in serious need of immediate treatment for certain health related conditions, which conditions if not addressed will impede the undersigned's effective representation of the Defendant.

The indictment in this case charges multiple counts of Wire Fraud, in violation of Title 18, United States Code, Section 1343, these offenses are not of a violent nature. The Defendant has no criminal history of violent conduct.

Reasonable conditions can now be set to ensure the Defendant's appearance before the Court as required.

Mr. Thomas Moore, the Assistant United States Attorney responsible for the prosecution of the instant case has been advised of the above stated change of circumstances.

WHEREFORE, premises considered, Defendant respectfully prays that the Court will grant the instant Motion for Hearing on Conditions of Pre-Trial Release, and set a hearing for the prompt resolution of issues concerning the Defendant's Pre-Trial release.

CHRIS K. GOBER, ATTORNEY AT LAW, PC
424 E. Nueva
San Antonio, Texas
210-224-5811
210-224-5890-Fax

RESPECTFULLY SUBMITTED,

/S/
CHRIS K. GOBER
State Bar No. 08046180

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of August, 2016, a true and correct copy of the above and foregoing *Motion for Hearing on Conditions of Pre-Trial Release* was electronically filed with the Clerk of the court using the CM/ECF System which will transmit notification of such filing to the following CM/ECF participant: Mr. Thomas Moore, Assistant United States Attorney, San Antonio, Texas.

/S/
CHRIS K. GOBER

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
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	§	
Defendant.	§	

ORDER

THIS MATTER having come before the Court on the Defendant's Motion for Hearing on Conditions of Pre-Trial Release, and good cause having been shown,

THIS COURT FINDS there has been a material change in circumstances effecting the Court's prior Order of Pre-Trial Detention.

IT IS HEREBY ORDERED that the Defendant's Motion for Hearing on Conditions of Pre-Trial Release is hereby

GRANTED () / DENIED ().

IT IS FURTHER ORDERED THAT Counsel will be notified of the hearing date and time by separate Order of this Court.

IT SO ORDERED this _____ day of _____, 2016

XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE